Application Number	Re		pplicant(s)/Patent (eexamination	under				
Document Code - DISQ	- DISQ Internal Document - DO NOT MAIL							
TERMINAL DISCLAIMER	☐ APPROVED		☑ DISAPPROVED					
Date Filed : April 21, 2006	This patent is subject to a Terminal Disclaimer							
Approved/Disapproved by:								
Henry D. Jefferson	<b>.</b>		·	·				

U.S. Patent and Trademark Office

# T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			01-May-06		APPL. S. N:		09910733		
To Exami	ner:		CHEVALIER, ROBERT		Art Unit		2621		
From			Jefferson, Henry PARALEGAL SPCECIALIST		Return This Memo To: Ca Drop-Off Location	se	JEF-2D68		
SUBJECT	r: Decisio	n on Terminal	Disclaimer(T.D.) filed:						
form para or have a	agraphs i ny quest	dentified by th ions, please se	iis informal memo in your se me or the Special Progr	next Off am Exar	ice action to notify applic miner. THIS IS AN INFOR	ant of t MAL, IN	ee, please use the appropriate he T.D. If you disagree NTERNAL MEMO ONLY. E. When your action is complete		
please in	tial, date	and return th	is memo to me. THANK YO	ou.					
	The T.D.	is PROPER an	d has been recorded (see	14.23).			•		
<u> </u>	The T.D.	is NOT PROPE	R and has not been accep	ted for t	he reason(s) checked be	low (see	e 14.24):		
		The TD fee of use of a depo		ıbmitted	nor is there any authoriz	ation in	the application file for the		
	Ü	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).							
			e T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory uble patenting rejection, Rule 321(b) (see 14.27.01).						
	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a term portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).								
	<u> </u>	The person who signed the T.D.:							
		is no	ot an attorney "of record"	(see 14,	29 and 14.29.01).		•		
		has	failed to state his/her capa	acity to	sign for the business enti	ty (see	14.28).		
		is no	ot recognized as an officer	of the a	ssignee (see 14.29 & pos	ssible 1	4.29.02).		
		nor is the ree (see 37 CFR 3	No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and rame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						
		The T.D. is no	ot signed (see 14.26 & 14.	26.03).					
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).							
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The period dis	sclaimed is incorrect or no	t specific	ed (see 14.26, 14.27.02 d	or 14.26	5.03).		
		Other:					<u> </u>		
			request refund (see 14.3) eck this item.	6). NOTI	E: If already authorized, o	credit re	efund to deposit account		
I have ap	propriate	ly notified app	licant(s) of the status of t	he Term	inal Disclaimer filed in th	is case.			
Ex.Initials	::	Date	2:				Log Date:		



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Confirmation No. 4880

Shinichi SAEKI et al.

Attorney Docket No. 2001\_1039

Serial No. 09/910,733

Group Art Unit 2616

Filed July 24, 2001

**Examiner Robert Chevalier** 

OPTICAL DISC, RECORDING APPARATUS, AND COMPUTER-READABLE RECORDING MEDIUM

Mail Stop: Amendment

## **TERMINAL DISCLAIMER UNDER 37 CFR 1.321**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975

Sir:

The owner, Matsushita Electric Industrial Co., Ltd., of 100% interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173, as shortened by any terminal disclaimer, of prior Patent No. 6,253,026, issued June 26, 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and Patent No. 6,253,026, issued June 26, 2001 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of Patent No. 6,253,026, issued June 26, 2001, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims

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cancelled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record.

April 21, 2006

By:

Matthew M. Jacob, Reg. No. 25,154

Terminal disclaimer fee under 37 CFR 1.20(d) is included.



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: Confirmation No. 4880

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#### PATENT OFFICE FEE TRANSMITTAL FORM

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Sir:

Attached hereto is a check in the amount of \$130.00 to cover Patent Office fees relating to filing the following attached papers:

Terminal Disclaimer .....

\$130.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Shinichi SAEKI et al.

Rν

David M. Ovedovitz

Registration No. 45,336

Attorney for Applicants

DMO/jmj WENDEROTH, LIND & PONACK, L.L.P. 2033 K St., N.W., Suite 800 Washington, D.C. 20006-1021 Telephone (202) 721-8200 April 21, 2006

[Check No. 73698

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